

ROBERT J TOMECK
KELLY L TOMECK
221 THOUSAND ACRE ROAD
DELANSON, NY 12053

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK
ALBANY DIVISION**

In re:

ROBERT J TOMECK
KELLY L TOMECK
Debtor(s)

Case No. 11-13452

CHAPTER 13 STANDING TRUSTEE'S FINAL REPORT AND ACCOUNT

Andrea E. Celli, chapter 13 trustee, submits the following Final Report and Account of the administration of the estate pursuant to 11 U.S.C. § 1302(b)(1). The trustee declares as follows:

- 1) The case was filed on 11/01/2011.
- 2) The plan was confirmed on 11/08/2012.
- 3) The plan was modified by order after confirmation pursuant to 11 U.S.C. § 1329 on NA.
- 4) The trustee filed action to remedy default by the debtor in performance under the plan on 08/13/2013.
- 5) The case was converted on 08/22/2013.
- 6) Number of months from filing to last payment: 0.
- 7) Number of months case was pending: 22.
- 8) Total value of assets abandoned by court order: NA.
- 9) Total value of assets exempted: \$99,899.47.
- 10) Amount of unsecured claims discharged without payment: \$0.00.
- 11) All checks distributed by the trustee relating to this case have cleared the bank.

Receipts:

Total paid by or on behalf of the debtor	\$7,500.00
Less amount refunded to debtor	\$0.00

NET RECEIPTS: **\$7,500.00**

Expenses of Administration:

Attorney's Fees Paid Through the Plan	\$2,169.60
Court Costs	\$0.00
Trustee Expenses & Compensation	\$601.66
Other	\$0.00

TOTAL EXPENSES OF ADMINISTRATION: **\$2,771.26**

Attorney fees paid and disclosed by debtor: \$1,100.00

Scheduled Creditors:

Creditor Name	Class	Claim Scheduled	Claim Asserted	Claim Allowed	Principal Paid	Int. Paid
AAA FINANCIAL SERVICES	Unsecured	4,518.39	NA	NA	0.00	0.00
AAA FINANCIAL SERVICES	Unsecured	NA	NA	NA	0.00	0.00
CANDICA, LLC	Unsecured	4,518.00	0.00	4,559.42	0.00	0.00
CANDICA, LLC	Unsecured	6,333.86	0.00	6,333.86	0.00	0.00
CAPITAL ONE, NA	Secured	1,000.00	0.00	1,000.00	366.48	76.13
CITI BANK	Unsecured	942.00	NA	NA	0.00	0.00
CITIMORTGAGE INC	Unsecured	53,864.00	NA	NA	0.00	0.00
DELL FINANCIAL LLP	Unsecured	842.72	0.00	1,046.01	0.00	0.00
DELL PREFERRED ACCOUNT	Unsecured	942.72	NA	NA	0.00	0.00
DEPARTMENT OF EDUCATION	Unsecured	24,010.00	0.00	22,170.85	0.00	0.00
DISCOVER BANK	Unsecured	5,556.64	0.00	5,602.45	0.00	0.00
ECAST SETTLEMENT CORP.	Unsecured	1,512.90	0.00	1,533.83	0.00	0.00
GENERAL REVENUE CORP	Unsecured	21,272.00	NA	NA	0.00	0.00
HOUSEHOLD RETAIL SERVICE	Unsecured	2,512.00	NA	NA	0.00	0.00
HSBC BANK NEVADA, NA	Secured	NA	NA	NA	0.00	0.00
HYUNDAI MOTOR FINANCING	Unsecured	1,303.00	NA	1,207.58	0.00	0.00
HYUNDAI MOTOR FINANCING	Secured	11,600.00	0.00	11,600.00	3,361.78	924.35
KEY BANK NAT'L ASSOC	Secured	54,000.00	NA	NA	0.00	0.00
NYS DEPT OF TAX & FIN	Priority	NA	NA	1,432.43	0.00	0.00
PENNYMAC LOAN SERVICES LLC	Unsecured	98,830.04	NA	NA	0.00	0.00
PORTFOLIO RECOVERY ASSOC	Unsecured	1,120.00	0.00	1,178.09	0.00	0.00
PORTFOLIO RECOVERY ASSOC	Unsecured	1,310.10	0.00	1,310.10	0.00	0.00
PRA RECEIVABLES MGMT	Unsecured	994.00	0.00	914.51	0.00	0.00
SALLIE MAE	Unsecured	NA	0.00	0.00	0.00	0.00
UNITED STATES TREASURY	Priority	NA	0.00	3,214.89	0.00	0.00

Summary of Disbursements to Creditors:			
	<u>Claim Allowed</u>	<u>Principal Paid</u>	<u>Interest Paid</u>
Secured Payments:			
Mortgage Ongoing	\$0.00	\$0.00	\$0.00
Mortgage Arrearage	\$0.00	\$0.00	\$0.00
Debt Secured by Vehicle	\$12,600.00	\$3,728.26	\$1,000.48
All Other Secured	\$0.00	\$0.00	\$0.00
TOTAL SECURED:	\$12,600.00	\$3,728.26	\$1,000.48
Priority Unsecured Payments:			
Domestic Support Arrearage	\$0.00	\$0.00	\$0.00
Domestic Support Ongoing	\$0.00	\$0.00	\$0.00
All Other Priority	\$4,647.32	\$0.00	\$0.00
TOTAL PRIORITY:	\$4,647.32	\$0.00	\$0.00
GENERAL UNSECURED PAYMENTS:	\$45,856.70	\$0.00	\$0.00

Disbursements:		
Expenses of Administration	<u>\$2,771.26</u>	
Disbursements to Creditors	<u>\$4,728.74</u>	
TOTAL DISBURSEMENTS :		<u>\$7,500.00</u>

12) The trustee certifies that the foregoing summary is true and complete and all administrative matters for which the trustee is responsible have been completed. The trustee requests that the trustee be discharged and granted such relief as may be just and proper.

Dated: 08/23/2013

By: /s/ Andrea E. Celli

STATEMENT: This Unified Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.